

VZCZCXYZ0000
PP RUEHWEB

DE RUEHDG #0227 0511957
ZNR UUUUU ZZH
P 201957Z FEB 09
FM AMEMBASSY SANTO DOMINGO
TO RUEHC/SECSTATE WASHDC PRIORITY 2288
INFO RUEHRC/USDA FAS WASHDC PRIORITY 1651
RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE
RUEHME/AMEMBASSY MEXICO 1149

UNCLAS SANTO DOMINGO 000227

SIPDIS

USDA/FAS FOR STEVE FOGGETT
OES FOR DANIELLE WOOD
EEB/TPP/MTAA/ABT FOR MARCELLA SZYMANSKI

E.O. 12958: N/A
TAGS: [EAGR](#) [ECON](#) [ETRD](#) [TBIO](#) [KPAO](#) [DR](#)
SUBJECT: DOMINICAN REPUBLIC WILL NOT ATTEND MEETING ON
CARTAGENA PROTOCOL

REF: STATE 11910

¶1. Summary: The Dominican Republic will not attend the February 23-27 meetings in Mexico City of the Group of the Friends of the Co-Chairs Concerning Liability and Redress in the Context of the Cartagena Protocol on Biosafety (Reftel). The primary reason for non-participation is a lack of time and funding and the belief that this meeting will make little headway toward settling the differences between parties. The Dominican Republic will review the results of this meeting and shares some of the USG positions. End Summary.

¶2. On February 20, EconOff met with Marina Hernandez, the Director of Genetic Resources in the Under-secretariat of Protected Areas and Biodiversity, part of the Ministry of the Environment and Natural Resources (SEMARENA). Hernandez is the primary point of contact for the Cartagena Protocol in the Dominican government; she attended the COP-MOP 4 Meeting of the Parties in Bonn.

¶3. Hernandez told EconOff that the Dominican Republic is taking a wait-and-see approach to the outcome of the Mexico City meeting and subsequent meetings that she expects to precede the COP-MOP 5 Meeting in Nagoya, Japan, scheduled for October, 2010. She expressed concern that differences among the parties regarding the scope and function of the Cartagena Protocol could prevent it from becoming an effective document. She said she was particularly worried about the attempts by some parties to create a framework that might impinge on the sovereignty of party countries, and said she supported the USG position that the rules established by the protocol should be flexible enough to be implemented within the existing legal systems of the parties.

¶4. Hernandez also said that while the GoDR's official position is still being developed, she personally shared the USG's support for a narrow definition of damage. She took note of the USG positions on the definition of operator, standard of liability and financial security, and said she would include this information in the report she will present to Undersecretary of Protected Areas and Biodiversity Eleuterio Martinez following the Mexico City meeting.

¶5. Hernandez said that the Dominican Republic is "still in diapers" when it comes to the issue of living modified organisms (LMOs). She said that although the GoDR has signed the Cartagena Protocol and the Congress has ratified it, the country does not yet have domestic procedures for developing, commercializing, importing, exporting and transporting LMOs. Her office, with the support of other GoDR agencies and civil society sectors, has written a bill to address biosafety, and the Executive Branch has submitted this bill to the Congress for consideration. Hernandez provided a copy of this bill to

EconOff. Hernandez said that the bill complies with the Cartagena Protocol but noted that there are some differences with the Protocol, but covers a broader area than the protocol, encompassing adverse effects to human health and general environment harm. Despite making this connection in its domestic law, however, Hernandez noted that the GoDR does not support expanding the scope of the Cartagena Protocol.

BULLEN